AMENDMENTS TO THE CLAIMS

1. (Currently Amended) An isolated nucleic acid molecule comprising a nucleotide sequence that is capable of initiating transcription of a gene in a plant cell, wherein said isolated nucleic acid molecule comprises: (i) the nucleotide sequence set forth in SEQ ID NO: 2; or (ii) a nucleotide sequence that has at least about 65% sequence identity to the nucleotide sequence set forth in SEQ ID NO: 2~~; or (iii) a nucleotide sequence that hybridizes under stringent conditions to the nucleotide sequence set forth in SEQ ID NO: 2 or a complement thereof~~.

2. (Previously Presented) An expression vector comprising: (i) the isolated nucleic acid molecule of claim 1, and (ii) a nucleic acid molecule which encodes a protein of interest, wherein (i) and (ii) are in operable linkage, wherein (i) is heterologous to (ii).

3. (Original) The expression vector of claim 2, wherein said expression vector is a plasmid.

4. (Currently Amended) A recombinant plant cell, wherein said recombinant plant ~~host~~ cell is transformed or transfected with the isolated nucleic acid molecule of claim 1.

5. (Currently Amended) A recombinant plant ~~host~~ cell, wherein said recombinant plant ~~host~~ cell is transformed or transfected with the expression vector of claim 2.

6. (Currently Amended) The recombinant plant ~~host~~ cell of claim 4, wherein said isolated nucleic acid molecule is stably incorporated in said recombinant plant ~~host~~ cell's genome.

7. (Currently Amended) The recombinant plant ~~host~~ cell of claim 5, wherein said expression vector is stably incorporated in said recombinant plant ~~host~~ cell's genome.

8. (Withdrawn) A method of making a recombinant host cell, said method comprising

transforming or transfecting a cell with the expression vector of claim 2.

9. (Withdrawn) A method of making a protein encoded by the expression vector of claim 2, comprising transforming or transfecting a cell with said expression vector, and culturing said cell under conditions favorable for the expression of said protein.

10. (Withdrawn) The method of claim 8, wherein said recombinant host cell is a plant cell.

11. (Withdrawn) A method for making a protein, said method comprising culturing a plant or plant part which comprises the recombinant host cell of claim 10, under conditions favoring production of said protein by said plant or plant part.

12. (Withdrawn) The method of claim 11, wherein said plant is a dicot.

13. (Withdrawn) The method of claim 12, wherein said dicot is Eucalyptus.

14. (Withdrawn) The method of claim 12, wherein said dicot is Populus.

15. (Withdrawn) The method of claim 11, wherein said plant is a monocot.

16. (Withdrawn) The method of claim 11, wherein said plant is a gymnosperm.

17. (Withdrawn) The method of claim 16, wherein said gymnosperm is Pinus.

18. (Canceled).

19. (Currently Amended) A plant or plant part comprising the recombinant plant cell of claim 4 ~~18~~.

20. (Original) The plant of claim 19, wherein said plant is a dicot.

21. (Original) The plant of claim 20, wherein said dicot is Eucalyptus.

22. (Original) The plant of claim 20, wherein said dicot is Populus.

23. (Original) The plant of claim 19, wherein said plant is a monocot.

24. (Original) The plant of claim 19, wherein said plant is a gymnosperm.

25. (Original) The plant of claim 24, wherein said gymnosperm is Pinus.

26. (Original) The plant part of claim 19, wherein said plant part is a seed.

27. (Currently Amended) The recombinant plant ~~host~~ cell of claim 4, wherein said recombinant plant ~~host~~ cell is a pollen cell.

28. (Withdrawn) The method of claim 11, wherein said plant part is selected from the group consisting of a root, a stem, a leaf, a flower, a fruit, a seed, a pistil, a stigma, a style, an ovary, an ovule, an stamen, an anther, and an filament.

29. (New) The isolated nucleic acid molecule of claim 1, wherein said nucleotide sequence has at least about 80 % sequence identity to the nucleotide sequence set forth in SEQ ID NO: 2.

30. (New) The isolated nucleic acid molecule of claim 1, wherein said nucleotide sequence has at least about 90 % sequence identity to the nucleotide sequence set forth in SEQ ID NO: 2.

31. (New) The isolated nucleic acid molecule of claim 1, wherein said nucleotide sequence has at least about 95 % sequence identity to the nucleotide sequence set forth in SEQ ID NO: 2.